

Message

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Sent: 9/19/2019 9:00:24 PM
To: AO OPA OMR CLIPS [AO_OPA_OMR_CLIPS@epa.gov]
Subject: Clips Thursday 19th

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EPA stacks key advisory pool with industry insiders

[Sean Reilly](#), E&E News reporter

Published: Wednesday, September 18, 2019

One is a senior-level retiree from a power company that has battled stricter environmental regulations for decades. Two are industry consultants who helped co-author a 2015 paper questioning the approach that led EPA to tighten its national ozone standards later that year. A fourth, on the advisory board of a conservative nonprofit, questions evidence of the long-term health risks posed by exposure to fine particulates.

All have now been named EPA consultants, charged with furnishing technical advice in high-stakes reviews of the agency's ambient air quality standards for both ozone and particulate matter.

EPA Administrator Andrew Wheeler announced the consultant pool's formation Friday (*E&E News PM*, Sept. 13). A spokeswoman yesterday described the members, numbering a dozen in all, as "highly regarded experts in their fields."

But critics see the untested approach as yet another Trump administration ploy to skew the course of the legally required assessments, which can carry big repercussions for public health and businesses' bottom line.

"Every one of these changes has made the process worse," Chris Frey, a North Carolina State University professor closely involved in previous reviews, said in an email.

In a letter earlier this week, top congressional Democrats demanded more information from Wheeler on the process used to select the consultants, saying they were "deeply concerned about actions EPA has taken to weaken scientific integrity."

The subject is likely to arise at a House Science, Space and Technology Committee hearing tomorrow, at which Wheeler will be the only witness.

The agency is nonetheless pushing ahead.

A two-day public meeting of its Clean Air Scientific Advisory Committee (CASAC) will be held late next month in North Carolina, according to an announcement posted yesterday on an EPA website. The purpose is to discuss a draft EPA report that found that the existing standards for fine particulates, known as PM2.5, may not be strong enough to prevent "a substantial number" of premature deaths.

The consultants are in part intended to replace the know-how lost when, last fall, Wheeler fired an auxiliary panel of experts that was aiding the CASAC in the review of the particulate matter standards.

Frey, on the engineering faculty at North Carolina State, was among those dismissed.

That panel was made up mostly of researchers from colleges and universities. The new pool includes members with ties to groups and businesses with a stake in the outcome.

Among them, for example, is John Jansen, whose LinkedIn profile describes him as chief scientist with Southern Co., the Atlanta-based power producer that's been a litigant in dozens of court fights over air pollution regulations, either on its own or as part of a utility industry coalition.

Jansen, now retired, could not be reached at phone numbers provided by a Southern spokesman. Asked whether the company had nominated him for the consultant pool, the spokesman, Schuyler Bachman, said he didn't believe so but was unsure who did.

Under the Clean Air Act, ozone and particulate matter are among a half-dozen pollutants subject to periodic EPA reviews to judge whether the National Ambient Air Quality Standards (NAAQS) are strong enough to protect the public based on current research into their health and ecological effects.

The last review of the ozone standards ended in 2015, with EPA opting to tighten them from 75 parts per billion to 70 ppb.

Effectively arguing against that step were Sonja Sax and Lorenz Rhomberg, two other members of the newly named consultant pool.

"Are the elements of the proposed ozone National Ambient Air Quality Standards informed by the best available science?" they and two other authors wrote in a paper published in April 2015, six months before EPA announced its final decision to tighten the limits.

The answer, the authors concluded, was no. Under their alternative approach, "it would be evident that available evidence does not indicate that proposed lower ozone standards would be more health protective than the current one," according to a synopsis of their paper.

In interviews yesterday, Sax and Rhomberg said that the National Rural Electric Cooperative Association nominated them to serve on the EPA consultant pool. Both noted that their role is limited to addressing questions raised by CASAC members and said they have reached no conclusion on whether any changes are warranted to either the ozone or particulate matter standards.

"I don't really see this as a position where advocacy is appropriate," said Rhomberg, a risk assessment specialist and principal at Gradient Corp., a Massachusetts-based environmental consulting firm. "I don't suspect that CASAC is going to ask me about my opinion," said Sax, a senior managing consultant at the international firm Ramboll Group A/S, with expertise in pollution exposure and health risk assessment.

At a CASAC meeting last December, Sax, representing the American Wood Council and two other trade groups, was critical of a draft EPA roundup of the current research on particulate matter, which cited evidence that the current standards might be too weak.

At every stage of the review process, the roundup "introduces uncertainty and bias ... and is unable to adequately characterize the relationship between particulate matter and health effects," she said in written comments posted on the committee's website.

"I'm a professional and I'm a scientist," Sax said yesterday when asked how she would respond to questions about her impartiality. "So I always feel like I bring my personal professional ethics and objectivity, and I rely on the science to guide me."

"For us consultants that have been working in this area for a long time, I think it's important to be able to bring our voice to the table," she added.

Dan Riedinger, a spokesman for the rural electric co-op association, confirmed that the group had nominated Sax and Rhomberg for the consultant pool "based on their backgrounds, expertise and the panel's objectives." Neither has done any work for the association, he said.

The pool's other nine members come from a mix of consulting and university backgrounds.

While EPA issued a public call for nominations early last month, the agency has not released a list of all nominees or explained how Wheeler made the final choices.

All candidates had to file the same financial disclosure forms required of other special government employees, EPA spokeswoman Corry Schiermeyer said in an email. Agency ethics officials found no conflicts of interest, she said.

Fred Lipfert, retired from the Energy Department's Brookhaven National Laboratory on Long Island, N.Y., nominated himself to offer advice on epidemiological and air quality issues.

He currently sits on a scientific advisory board for the American Council on Science and Health, a New York-based nonprofit whose trustees include Fred Smith, chairman emeritus of the Competitive Enterprise Institute, a conservative think tank that has close ties to the Trump administration.

The council's late founder, Elizabeth Whelan, campaigned against food and chemical regulations that she considered unnecessary.

In an interview yesterday, Lipfert said he was not contacted by EPA before learning that he had been chosen as a consultant. He questioned whether fine particulates warrant regulation under EPA's current system.

The agency has linked such fine particulates to an array of heart and lung problems, including a higher risk of premature death under some circumstances.

But while PM2.5 may contain pollutants, the bulk of such fine particulates are water soluble, don't collect in the lungs and are "just not an issue," Lipfert said. Asked whether EPA should continue to set ambient air quality standards for PM2.5, Lipfert replied, "I don't think so."

"Nothing wrong with regulating it," he said. "But to attribute these dire health effects to it — that's wrong because it's a scare tactic."

Trump Administration Issues Looser Emissions Standard

By

Katy Stech Ferek

Sept. 19, 2019 10:13 am ET

WASHINGTON—The Trump administration formally unveiled a new standard that loosens emissions rules for vehicles sold in the U.S. and moved to strip California's ability to set its own tougher requirements, steps officials said will give drivers access to cheaper, safer cars.

Officials from the Environmental Protection Agency and the Transportation Department said Thursday they issued a final action on a rule that will unify the country's fuel-economy and greenhouse-gas-emissions standards. The announcement, which had been previewed by President Trump and other officials earlier in the week, marks another step in easing requirements set under the Obama administration in 2012.

The actions ensure that "no state has the authority to opt out of the nation's rules, and no state has the right to impose its policies on the rest of the country," said Secretary of Transportation Elaine Chao.

Critics say the administration's moves will hurt air quality and the fight against climate change.

Ahead of the formal announcement, Public Citizen, a Washington, D.C., advocacy group, said the move to take away California's ability to set its own rules "will further impede efforts to combat global climate change even as the signs of impending climate disaster grow ever clearer."

EPA Administrator Andrew Wheeler said that the action will provide certainty for auto makers as they prepare to comply with stronger standards designed to cut air pollution.

"Most auto makers can't comply with the trajectory of the current standards," Mr. Wheeler said at a press conference Thursday morning.

In the press conference, Ms. Chao called the standards set by the Obama administration “unattainable” and said they made the price of new cars unaffordable for some families. “The rule will not force auto makers to spend billions of dollars developing cars that consumers do not want to buy or drive,” she said.

California has long had the authority to set its own rules on limiting air pollutants from cars, but the Trump administration believes such requirements should be set by the federal government. California has already taken legal action to block the White House’s efforts to take away its waiver to set its own standards, and top state officials threatened more lawsuits on Wednesday.

Federal officials said they are still working on additional rules that will give auto makers the full scope of requirements and expect to release those details later this year.

Rescinding the California waiver would fulfill a longstanding goal of the administration to curb California’s influence over the car industry with its ability to set more stringent emissions rules than federal mandates. In July, four car companies— Ford Motor Co. , Honda Motor Co. , Volkswagen AG and BMW AG —signed an agreement with California to meet tougher emission requirements than those proposed by the Trump administration.

In previewing the planned action, Mr. Trump tweeted Wednesday: “Auto makers should seize this opportunity because without this alternative to California, you will be out of business.”

Trump’s Transportation, EPA leaders call out California over environmental efforts

By Gregory Wallace | CNN

Two of President Donald Trump’s cabinet officials criticized California’s environmental record Thursday as the state and the administration are in a pitched battle over the authority to set vehicle emission standards.

“No state has the authority to opt out of the nation’s rules and no state has the right to impose its policies on everybody else in our whole country,” Transportation Secretary Elaine Chao told reporters, discussing the administration’s plans to revoke California’s authority to set vehicle emission standards.

“To do otherwise,” Chao continued, “harms consumers and damages the American economy.”

The state’s Clean Air Act waiver allowed it to set vehicle emission standards that are more stringent than the federal standards. Because more than a dozen states have signed on to California’s levels, they became the de facto nationwide standards. The Trump administration is in the process of relaxing federal emission standards set by the Obama administration, but for those to be controlling, needs to also eliminate the California levels.

California Gov. Gavin Newsom told reporters Wednesday — soon after Trump announced the plans — that the President is motivated by a “unique frustration with California.”

“We’re winning. That’s the frustration he’s having — we are winning,” Newsom said, referring to the state’s multiple legal battles with the administration. “He’s losing, and we’re winning because we have the law, science and facts on our side.”

“We have not only the formal authority, we have the moral authority, and that is something missing in this White House,” Newsom added.

California has been a persistent thorn in the administration’s side, including on environmental and immigration issues.

At the Thursday morning event, Environmental Protection Agency Administrator Andrew Wheeler took California to task for having “the worst air quality in the United States.”

“It has 82 non-attainment areas and 34 million people living in areas that do not meet the NAAQS standards,” Wheeler said, referring to areas of the Golden State that do not meet the National Ambient Air Quality Standards. “That’s more than twice as many people as any other state in the country. We hope that the state will focus on these issues rather than trying to set fuel economy standards for the entire country.”

“California cars have no closer link to California climate impacts than do cars on the road in Japan or anywhere else in the world,” he added.

Wheeler said the revised federal standards are still in development but will be announced in the coming weeks.

We are looking at all the options right now,” he said. “We have not made a final decision yet on what the standards will be.”

EPA General Counsel Matthew Leopold told reporters after Wheeler’s remarks that the administration anticipates litigation over the standards. He said the official action revoking California’s authority will likely be published in the Federal Register next week and take effect 60 days later.

CALIFORNIA vs. TRUMP on car rules — NAPOLITANO out at UC — NEWSOM signs AB5 but GIG fight continues — MCCARTHY faults DEMS on homelessness

By JEREMY B. WHITE, CARLA MARINUCCI, ALEXANDER NIEVES and GRAPH MASSARA
09/19/2019 09:16 AM EDT

THE BUZZ: When your day starts with Donald Trump and Gavin Newsom going at it on Twitter, you know it’s time for the latest episode of D.C. versus Sacramento: A Four-to-Eight-Year Saga.

“This is simply inaccurate,” Newsom slapped back half an hour after Trump touted his administration’s long-anticipated move to yank California’s enhanced auto emissions regulation authority, saying it would make cars “safer and much less expensive.” The businessman president also worked in a threat to automakers — “without this alternative to California, you will be out of business” — suggesting he still resents car companies that infuriated him by cutting a side deal with California.

Soon after his staff hit “send,” Newsom was standing alongside California Attorney General Xavier Becerra and Air Resources Board chief Mary Nichols. The common theme: the hypocrisy and shortsightedness of the Trump administration, which they said was selling out conservative ideas like federalism and free enterprise — “I don’t know what the hell has happened to the Republican Party,” Newsom said — while denying the market’s inevitable shift away from oil and gas-powered cars.

“Every single one of these companies knows where the consumer is going and where the world is going ... and that’s the elimination of the internal combustion engine,” Newsom said. He argued Trump’s intervention is “about the oil industry, period, full stop,” even though that sector — still quite prolific and politically powerful in California — is “coming to an end.”

And this isn’t just about business plans. As Newsom noted, it’s also a political clash over who gets to shape and dominate the 21st century transportation economy: “Our leadership and influence in the rest of the world,” he warned, are at stake, and he punctuated that point with a jab at Trump: “We are winning,” Newsom said. “He is losing.”

STEP BACK: “Trump’s war with California moves to new level,” by POLITICO’s Katy Murphy, Debra Kahn and Jeremy B. White: “As he threatens to yank California’s prized authority to set auto-emissions standards and to intervene so that homelessness does not ‘destroy’ Los Angeles and San Francisco, President Trump has been working overtime this past week to put the most influential state in the nation in its place.

“Trump’s latest moves have turned up the dial on an epic power struggle with the iconically blue state in which he is wildly unpopular. The conflict with California been a hallmark of his presidency, featuring clashes over everything from immigration to health care to environmental protections.”

DIFI’S MOVE: “Feinstein, Carper, Cantwell demand docs related to DOJ auto collusion probe,” by POLITICO Pro’s Anthony Adragna.

BUENOS DÍAS, good Thursday morning. A Sacramento court is hosting the opening round this morning of a legal battle over California’s new requirement that candidates disclose their tax returns if they want to appear on primary ballots.

— **QUOTE OF THE DAY:** “This is the fight of a lifetime for us. We have to win this.” **ARB chair Mary Nichols, who said she’s been keeping her law license active for a clash like the one unfolding over auto rules.**

EDF Said Environmental ‘Crisis’ Requires Policies, Voluntary Programs

As the head of Environmental Defense Fund’s (EDF) business partnerships program, Tom Murray has seen industry’s trend toward sustainability grow significantly, including companies pursuing voluntary emissions cuts, use of safer chemicals, and a growing focus on addressing climate change.

But despite the effort his office has put into fostering those programs, Murray said, they can only be supplements to strong federal regulation. And he is hoping the same companies now embracing pollution reductions in their own operation will join environmentalists’ calls for those stricter policies, especially on climate.

“This is the biggest global environmental crisis of our time. We can’t solve it with individual actions from companies; it requires a policy solution. Companies need to be part of putting that solution in place,” Murray told *Environment Next* in a recent interview.

That would mean firms actively lobbying for stricter controls on their own industries -- a trend Murray said has already started in some sectors -- and likely abandoning trade associations that continue to push for deregulation, he said.

Murray’s office, EDF+Business, specializes in supporting and verifying voluntary environmental initiatives in the private sector, from advanced monitoring at oil and gas operations to working with Walmart on the retail giant’s plan to cut 1 billion tons of greenhouse gases from its stores and supply chain by 2030.

Its work on that effort, known as “Project Gigaton,” is so intensive that the group has set up a field office near Walmart’s Bentonville, AR, headquarters.

Those initiatives are “absolutely critical in showing what’s possible, but insufficient in solving the problem,” Murray said.

He is urging the companies EDF+Business works with to “take the next step” and lobby for stronger environmental regulations -- which would be a major reversal from the long-standing status quo where companies almost universally urge regulators to loosen or eliminate rules on their own operations.

"Broadly, the most powerful tool these companies have to protect our climate and our environment is their political influence," Murray said in his interview with *Environment Next*.

He sees hope for that prospect in larger oil and gas companies' calls to preserve Obama-era methane limits against a proposed EPA rollback, even though smaller firms are backing the Trump administration's plan. The proposed repeal "is a key opportunity" for companies in the sector to prove their commitment to greenhouse gas reductions, Murray said.

Similarly, he pointed to the cross-sector CEO association Business Roundtable's (BRT) recent policy shift that added environmental and social sustainability to its "purpose of a corporation" as a potential turning point. "Hopefully this BRT announcement is signaling the next phase in leadership," Murray said.

"That next step is engaging on policy -- if you're really a purpose-driven company, committed to combatting climate change, it's critical that you walk the talk and reduce your own emissions, but we don't get where we need to be in 2050 without economy-wide reductions, without a policy solution."

Abandoning 'Lowest Common Denominator'

So far, individual firms have generally been more aggressive on environmental issues than the sector-wide trade associations -- a trend that has led to friction between the two levels of management.

For example, Coca-Cola and Pepsi split with the Plastic Industry Association over the group's lobbying against state anti-waste bills that conflicted with the companies' own efforts to reduce their use of plastic bottles and bolster recycling.

Similarly, Murray points to the Sustainable Food Policy Alliance (SFPA), an environmentally-focused association of food companies that split in 2018 from the Grocery Manufacturers' Association that has traditionally represented the sector.

"I think a challenge for trade associations over the years is that as they've gotten bigger they tend to [represent] the lowest common denominator, and they're not quick to respond when their members are looking to become more sustainable."

For the four SFPA members -- Danone, Mars, Unilever and Nestle -- "leaving a larger association . . . has helped them become quicker and more nimble on addressing the policy priorities of that group," Murray said.

Having more trade or cross-sector associations take explicitly pro-environmental positions like SFPA's or BRT's would be a major step forward, he continued, because of the resources those groups have that go beyond what most individual firms are capable of. They can "proactively engage in policy dialogue" across an entire industry, take steps to "align their membership" on science-based environmental goals and effectively allocate "political capital" in support of new policies.

Just as stakeholders are now encouraging companies to green their own operations, Murray said, he expects industry to face broad pressure from the public and from within to refocus their political efforts. "My impression is that customers, employees, investors are all increasingly expecting companies to be able to walk and chew gum at the same time." -- *David LaRoss* (dlaRoss@iwpnews.com)

Facing fines, polluters turn to Trump's enforcement fixer

First in a series.

When career EPA enforcement staffers accused an Indiana whiskey distillery of emitting massive quantities of smog-forming pollution, Patrice Douglas knew just who to call.

"I left a message last week, and am needing to talk with you about a client's difficulties with Region 5," Douglas, a lawyer at Spencer Fane LLP, said in an October 2017 email to EPA Chief of Staff Ryan Jackson, a fellow Oklahoma Republican who's one of the agency's longest-serving and most influential political appointees. "We need to escalate this matter."

In the final full month of the Obama administration, EPA's Great Lakes region claimed Douglas' client, MGP Ingredients, had improperly built air polluting warehouses in a county that at the time failed to comply with smog limits. MGPI took the allegations seriously, warning investors in November 2017 that its failure to apply for a Clean Air Act permit could cost the company at least \$100,000 in fines.

But after Douglas contacted Jackson, the fortunes of MGPI — like several other polluting companies whose representatives sought his assistance — changed for the better.

Last December, Indiana regulators announced that EPA declined to pursue the case against MGPI. Meanwhile, two other Obama-era cases Jackson intervened in remain unresolved. And a \$700,000 fine against an Oklahoma refinery disappeared after the chief of staff got involved in the matter.

Jackson's previously unreported role as an enforcement fixer for friends and allies — pieced together from internal agency records, enforcement documents, company financial filings and interviews — makes some former career EPA enforcement staffers question whether Jackson is abusing his powerful position to benefit favored companies and lobbyists.

"You're just handing candy out to people who come in and ask for it," Eric Schaeffer, the head of EPA's enforcement office under Presidents Clinton and George W. Bush, said after reviewing the cases flagged by E&E News.

"Once you start that, the line outside your door is going to be really long," said Schaeffer, who now leads the Environmental Integrity Project, a nonprofit watchdog group. "That's deadly for government."

EPA didn't make the chief of staff, who joined the agency when fellow Oklahoman Scott Pruitt became administrator, available for an on-the-record interview. But Jackson, who served for six years as Oklahoma Republican Sen. Jim Inhofe's top staffer prior to working at EPA, has previously defended using his high-level post to help lobbyists get things done for their clients.

"I don't think it is a different direction" for an EPA chief of staff, Jackson wrote to E&E News in July 2018 after coming under scrutiny for setting up a meeting between Pruitt and J. Steven Hart, the lobbyist whose wife had rented Pruitt a cut-rate Capitol Hill condo (*E&E Daily*, April 23, 2018).

"A chief of staff has specific responsibilities, but broader responsibilities to ensure a variety of things get completed, addressed, and worked out," he said. "Thank you for the acknowledgement of succeeding in getting some things accomplished though. I try to do that."

Others who have held the job — perhaps the most important position at EPA that doesn't require Senate confirmation — say there's a line between policy matters and enforcement that should be crossed only with caution.

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Stan Meiburg, a longtime career EPA employee who served as the agency's second in command during the Obama years, said top political appointees have generally avoided weighing in on specific enforcement matters.

"You try to stay away from individual cases," said Meiburg, who is now the director of sustainability graduate programs at Wake Forest University. "There is a process, and you're supposed to let it play out."

But a senior EPA official, who agreed to speak only on condition of anonymity, said it's not just permissible for Jackson and other political appointees to get involved in enforcement cases — it's essential.

"It's my role, in a supervisory capacity at a federal agency, to at least inquire about something that someone wants to raise to me, that they think might not be quite right," the official said. "I don't know why that would be a bad thing to do. ... That's why I'm going to continue to do it."

Jackson isn't the only Trump appointee to intervene in specific cases. Pruitt, his former boss, held an off-the-books meeting with a Missouri electric cooperative that President Obama's EPA accused of making major modifications to coal-burning boilers without installing modern pollution controls — a serious alleged violation that remains unresolved (*Greenwire*, April 15).

Their unusual involvement in the typically staff-led enforcement process comes amid a fall in EPA investigations, environmental prosecutions and other key enforcement metrics. That broad decline has attracted the attention of agency watchdogs and congressional auditors, but few have focused on specific enforcement cases that have been killed or put on ice.

That's mainly because environmental enforcement is inherently opaque. EPA generally pursues enforcement cases in instances where the violations are significant but difficult to detect or in states that have proved unable to hold powerful polluters accountable. Then malfeasance found by EPA inspectors is often made public only after deals are reached or the Department of Justice moves to file charges.

The secrecy allows career EPA lawyers and company representatives to work out settlements that, ideally, protect human health and the environment without unduly burdening business.

During the Trump administration, however, that confidentiality has allowed Jackson to help people he knows who bring him complaints about major pollution problems. People like Douglas, who didn't respond to a request for comment.

Douglas, a Republican former mayor of an Oklahoma City suburb and veteran of the state's energy commission, told Jackson that MGPI was being unfairly targeted by enforcement staff in the Great Lakes region, which covers Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. The Spencer Fane lawyer followed up about a month later to thank Jackson for getting involved.

"MGPI sincerely appreciates that," she wrote in an email, which was made publicly available via a Freedom of Information Act lawsuit from the Sierra Club, an environmental group. The [email](#) called for settling the matter and halting "any requirement for a trial study" of ways to control ethanol emissions from the 80-acre Lawrenceburg, Ind., distillery.

EPA dropped the case, essentially handing it off to Indiana regulators. Last month, MGPI [settled](#) with the state for \$11,250, about a tenth of the penalty the company had suggested to investors it could have faced.

"MGP Ingredients, Inc.'s Lawrenceburg distillery is in compliance with the Clean Air Act," Jenell Loschke, a spokeswoman for the company, said in a statement. "We take our permitting obligations with the State of Indiana and the U.S. Environmental Protection Agency seriously."

A senior EPA official said the agency's move was motivated by an interest in harmonizing enforcement across the regions. Other offices, such as the Atlanta-based Southern region that includes the Kentucky Bourbon Trail, hadn't been pursuing Clean Air Act violations against whiskey distilleries.

Jackson's intervention in the MGPI case, the official said, led to a "good public policy outcome."

Alan Weiss, mayor of Greendale, Ind., disagrees. His city abuts the MGPI facility, and he feels federal and state officials let him down — along with the people he represents.

Weiss had hoped EPA's enforcement case would force the company to curb its emissions of ethanol, a volatile organic compound (VOC) that helps create lung-damaging smog, which is also known as ozone pollution. Downwind from the warehouses, Cincinnati is currently [violating](#) EPA's ozone standard.

But what really bothers Weiss and people in Greendale is "whiskey fungus," a type of mold caused by ethanol vapor released during the whiskey aging process. The velvety black *Baudoinia compniacensis* has unknown human health effects and grows all over Greendale buildings, vehicles and street signs — particularly those closest to the MGPI warehouses.

The mayor, a political independent, said he learned of MGPI's air pollution lobbying campaign only after being contacted by E&E News. That effort even included a [letter](#) supporting the Kansas-based company's position from then-Rep. Luke Messer (R-Ind.).

"It really didn't matter what we wanted," Weiss said last month in his windowless office, beside a decal of the Indiana and U.S. flags. "Nobody was listening to our concerns."

Asked about the mayor's complaint, the senior EPA official noted that Jackson's phone number is listed on the agency's website.

"If the local community has concerns about emissions from that, they're welcome to call," the official said. "But they never did."

Political connections and high-level support appear to also have paid dividends for Gulfport Energy Corp.

Two days before Christmas 2016, EPA accused the Oklahoma City-based company of allowing VOCs to leak from storage tanks at more than a dozen oil and gas production sites in eastern Ohio's Appalachian foothills. Several of those well pads also had improperly operating flares, which are used to burn off the smog-forming byproducts.

Benzene, toluene and xylene are VOCs associated with oil and gas production that are also hazardous air pollutants. Long-term exposure to those pollutants can cause health problems, including cancer.

EPA had been pursuing similar cases in oil patches across the country under Obama. The agency had reached multimillion-dollar settlements with several Western producers.

The oil and gas industry complained about them to Trump administration officials almost as soon as they took office. Pruitt promised them more "judicious" use of the enforcement process, better cooperation with states and more meetings with high-level EPA officials about enforcement strategies ([Energywire](#), Jan. 17, 2018).

Still, EPA under Trump settled with Denver-based PDC Energy Inc. for a \$2.5 million fine and about \$20 million in pollution reduction efforts.

Looking to avoid a similar fate, Gulfport hired its first lobbyist, Ryan Thompson of the firm Akin Gump Strauss Hauer & Feld LLP, soon after Jackson joined the Trump administration in February 2017.

Thompson and Jackson share both a first name and some history. Thompson worked his way up to chief of staff in Inhofe's office. When he left in 2011, Jackson was promoted to take his place. EPA Administrator Andrew Wheeler, Jackson's current boss, served as staff director of the Environment and Public Works Committee for Inhofe when both Thompson and Jackson were working in the senator's personal office.

Early on in Jackson's tenure at EPA, Thompson recommended an Akin Gump lawyer to him. Marcella Burke, Thompson's former colleague, was later hired as EPA's deputy general counsel.

Four months after Thompson started working for Gulfport, Jackson received an email from company attorney Zachary Simpson.

"I have attached some background information per your request," Simpson wrote. The documents he sent included a summary of the company's objections to the enforcement action and interactions with career EPA staff.

Gulfport claimed some well sites were leaking planet-warming methane gas, not VOCs. Others, the company said, weren't producing enough oil and gas to be covered by the Clean Air Act.

Gulfport "is not attempting to skirt around [air regulations] when we should be subject to them," the summary document says. "However, USEPA's lack of willingness to address their flawed methods of determining applicability and blatant refusal to consider objective mathematical evidence is troublesome."

Meanwhile, other email attachments show EPA regulators were pushing the company to agree to a settlement.

But two years since Jackson got involved, Gulfport's violations remain unresolved.

At the same time, VOCs still appear to be escaping from some of the troubled well pads EPA inspectors identified in 2016.

Last month, the flare and storage tank at a site called "Boy Scout" — drilled on the grounds of the Fort Steuben Scout Reservation in Tippecanoe, Ohio — both appeared to be emitting VOCs.

E&E News visited the well pad with Leann Leiter, a certified optical gas imaging thermographer with Earthworks, who used the environmental group's Forward Looking Infrared Gasfinder 320 to detect the emissions. The FLIR camera, which costs \$100,000 and uses an internal cooling system to measure the heat of emissions, is relied upon by industry and regulators to spot otherwise indiscernible VOCs.

"If what we were seeing through the camera were smoke, we would be able to see that with the naked eye," Leiter explained while an E&E News reporter watched a previously unseen plume of gas shimmer in the FLIR viewfinder. "The fact that the emissions are more or less invisible to the naked eye but the camera is able to pick them up tells us that it's a hydrocarbon within that very narrow infrared spectrum that the camera is designed to detect."

The emissions were wafting toward a house less than a football field away from the drilling operation. Across a gravel road from the well pad is the Scouts' wilderness training site; adjacent to it sits the camp's shooting range.

"If you're living downwind from that — especially if you have children or if you're in a vulnerable health position — any amount of emissions is going to be too much," she said. "And these dangerous VOCs like benzene ... there is no safe level of those kinds of exposures."

Thompson and Gulfport didn't respond to requests for comment.

The Boy Scouts of America, the nonprofit group that oversees the camp, said in a statement that it prioritizes safety and is "not aware of any instances in which any campers or camp staff experienced any effects related to the well pad."

The senior EPA official declined to offer any specifics about the ongoing enforcement effort.

"You have me at a disadvantage because you know that I can't talk about an active case," the official said. "But if it's an active case, we're doing something about it."

Thompson also advocated for a Silicon Valley clean energy darling called Bloom Energy.

Bloom first achieved widespread popularity in 2010 with a "60 Minutes" television segment that touted Google as the company's first client. The company's board now includes former Secretary of State Colin Powell and venture capitalist John Doerr, a board member of the Obama Foundation.

It might not seem like a good fit for Thompson, a lobbyist whose calling card is having worked for the Senate's top denier of climate science. But the company's fuel cells, called "Bloom Boxes," generally run on natural gas (although they can be configured for biogas), and the filter canisters inside them contain benzene. Nevertheless, the company benefits from some state and federal renewable energy programs.

EPA has been threatening the company with a fine of up to \$1 million in connection with hazardous waste from the Bloom Boxes. In reports to investors and the Securities and Exchange Commission, the company has already acknowledged paying a "nominal" fine to an undisclosed state agency for related problems.

For years, a lawsuit alleges, the company disposed of spent filter canisters — with their benzene — in landfills in Mexico and California. The company said it had been operating under exemptions from hazardous waste rules granted by two state agencies.

But in 2015, EPA determined that spent filters from the boxes are hazardous waste and should be treated as such. The agency issued guidance to that effect the following year, the company said in a financial filing.

"They've lied ever since the launch," said Lindsay Leveen, a California chemical engineer and ardent critic of Bloom, who said he alerted EPA to the company's handling the dangerous canisters. "They have hazardous waste. Loads of hazardous waste."

The company says it has been complying with EPA's new guidance. At the end of the Obama administration, however, the agency began pursuing a fine for the years of improper disposal.

Enforcement staffers in EPA's Philadelphia-based Mid-Atlantic region sent a formal "request for information" to Bloom on Jan. 20, 2017 — the day Trump was sworn in — asking about the waste canisters. Such requests can foreshadow an enforcement action.

Weeks after the company was contacted by EPA, T.A. Hawks, a lobbyist at Monument Advocacy who'd worked for former Sen. Thad Cochran (R-Miss.), asked Jackson for a meeting about the benzene issue.

"We'd love to talk to you or someone on your staff about this and can bring their General Counsel," Hawks wrote. The meeting was set for March 24, 2017, in the office of Byron Brown, who was then EPA's deputy chief of staff for policy.

More than a year later, on June 15, 2018, Bloom hired Thompson.

Since then, the case appears to have languished. EPA has repeatedly declined to say whether Bloom even responded to the request for information, and Bloom has not responded to inquiries from E&E News.

Last month, Bloom agreed to pay Delaware a \$40,000 fine for operating dozens of gas-powered Bloom Boxes without a permit. A spokesman for the state's Department of Natural Resources and Environmental Control said the enforcement action doesn't involve the EPA inquiry (Energywire, Aug. 6).

EPA officials said they can't discuss details of the case because it's ongoing. The senior administration official confirmed that Jackson had been asked by Thompson about the potential enforcement action, but the chief of staff only "told him it's an active case."

Another instance of Jackson interfering in environmental enforcement began on the Sunday before Memorial Day in 2017. That evening, EPA's chief of staff shot an email to John Blount, a fixture in Washington lobbying circles for more than three decades.

"May I get more information on the Ardmore TRI reporting fine?" Jackson said. He was referring to Valero Energy Corp.'s petroleum refinery in Ardmore, Okla., and EPA's Toxics Release Inventory, a database of chemical emissions from industrial facilities used to inform decisionmaking in communities, government agencies and companies.

A few days earlier, Blount and colleagues had met with Pruitt to discuss problems facing the refining industry — a meeting Jackson helped arrange. The sit-down seems to have gone well. The EPA administrator sent Blount a thank you note with a handwritten postscript: "wonderful to meet you."

Now Jackson was following up about a civil penalty against a specific facility in his and Pruitt's home state. Valero had filed Ardmore's required 2014 TRI disclosure on Nov. 23, 2015, nearly five months late. As a result, the company told investors, it had received a penalty demand from EPA for \$730,820.

It's not clear why Jackson would be asking Blount about Valero's 90,000-barrels-a-day facility, but Blount represents a refinery training group of which Valero is a member. And a Valero manager was slated to attend the meeting with Pruitt.

Shortly after Jackson's email, Blount zapped back. "You bet," he wrote. "Shoot you a memo Tuesday."

There's no indication Jackson received such a memo. But three days later, the lobbyist told Jackson that one of Valero's top attorneys, Parker Wilson, would be calling him about the Ardmore fine.

The case was closed the next month by regional officials in Dallas.

EPA officials say they have no record of a call from Wilson to Jackson. Unlike a memo, phone calls are hard to track. An open records request for Jackson's 2017 phone log redacted the number of every one of his incoming or outgoing calls.

An EPA spokesman said a career attorney recommended closing the case due to "litigation vulnerabilities." But the spokesman did not provide any documentation.

Valero did not respond to numerous requests for information and clarification about the penalty.

Attempts to reach Blount were unsuccessful. When E&E News tried to leave him a message at Blount's lobbying firm, Ervin Hill Strategy, the woman who answered the phone said, "That's not possible."

EPA officials said there was nothing improper about how the case was handled.

But Schaeffer, the former EPA enforcement director, disputed the agency's claim.

"It's really greasy," he said. "You're being like a Chicago alderman in the '50s."

The senior EPA official scoffed at the notion that the isolated incidents of political intervention in environmental enforcement uncovered by E&E News could be related to the broader decline in enforcement during the Trump administration (*Energywire*, Feb. 11).

"Man, that's really ridiculous," the official said.

Other enforcement experts, however, aren't so sure.

"The people up there can set the tone," said George Czerniak, who retired from the agency in 2016 after heading the air enforcement branch of EPA's Great Lakes region. "All this can have a chilling effect. These cases might be symptoms of a much more pervasive disease."

EPA to rework controversial scientific transparency rule proposal

BY ANNIE SNIDER

09/19/2019 11:23 AM EDT

EPA Administrator Andrew Wheeler said his agency will revise its proposal for its controversial scientific transparency rule "early next year," a sign that the Trump administration may have determined that the original proposal would be difficult to defend in court.

Testifying before the House Science Committee this morning, Wheeler said the supplemental proposed rule would "apply prospectively to final significant regulatory actions."

The original rule was proposed by former EPA Administrator Scott Pruitt in April 2018 as he struggled to fend off mounting scandals. It would fulfill a long-standing goal of some industry groups by requiring EPA to use only at scientific studies with publicly available data when making regulatory decisions.

Public health advocates and academic researchers have opposed the rule, saying it would severely limit the agency's ability to use human health studies. It has also prompted concerns among EPA's science advisers, including those appointed by the Trump administration.

Under questioning from Rep. Suzanne Bonamici (D-Oreg.), Wheeler said he would not finalize the rule until the EPA panel completes its review.

The Trump administration had been pushing to finalize the rule by the end of the year, but reproposing it will make it extremely difficult to finish it before the 2020 election. At the same time, EPA has sought to push some of its policies through other avenues as well, for instance by updating the agency's cancer and non-cancer guidelines.

Report Details How EPA Lobbying May Have Reduced MGPI's Fine For Greendale Barrel Houses

Thursday, September 19th, 2019 11:01am

By Mike Perleberg [@mikedup84](#)

According to E&E News, MGPI of Indiana had feared more than \$100,000 in fines for not getting proper permits before building several new whiskey barrel houses in Greendale. But the company ultimately paid just \$11,250 to the state.



A new storage warehouse at the MGPI of Indiana Distillery in Greendale, one of the nine for which the company was late to seek an air permit from the Indiana Department of Environmental Management. Photo by Mike Perleberg, Eagle Country 99.3.

(Greendale, Ind.) – The owner of the distillery in Lawrenceburg and Greendale has reached a settlement with the Indiana Department of Environmental Management over emissions from hundreds of thousands of whiskey storage barrels.

MGPI of Indiana, LLC will pay a penalty of just \$11,250 to the Environmental Management Special Fund under an agreed order reached in August.

The case began in 2016 when the Obama-era U.S. Environmental Protection Agency's Air and Radiation Division notified MGPI of Indiana that it was in violation of limits on emissions of volatile organic compounds, or VOCs, from nine barrel houses. According to the original notice of violation, the company had failed to abide by EPA rules by constructing and operating the barrel houses prior to receipt of the proper air permit.

Eight of the barrel houses were built 2014-2016 and another was to be constructed in 2018 in Greendale, **although the company had not submitted to IDEM a significant source modification.**

The VOCs in the case are ethanol which emits from barrels which sit by the thousands in warehouses as whiskey inside them ages. Part of the whiskey in each barrel evaporates through the barrel's wood.

The presence of ethanol in the air allows a fungus called *baudoinia compniacensis* to thrive in areas surrounding a distillery or barrel house. The so-called "whiskey fungus" collects on homes, vehicle, trees and other structures as an unsightly, black, soot-like growth.

In all, the warehouses would house more than 439,000 barrels, enough to emit well beyond the permitted limit of 25 tons of ethanol per year.

The U.S. EPA decided in 2018 not to pursue the case, instead leaving it to IDEM.

A new report by E&E News, a publication for energy and environmental professionals, out Wednesday details how communications between a lawyer and EPA Chief of Staff Ryan Jackson may have helped persuade the EPA to step back from the MGPI case, in addition to multiple cases in other states.

Also included in the news report was a 2017 letter sent to then-EPA administrator Scott Pruitt by then-Indiana 6th District Congressman Luke Messer, a Republican. Messer claimed that the EPA's Region 5 office was overstepping its legal authority in a move that could cost jobs at the distillery.

The \$11,250 amount of MGPI's settlement with the state is drastically less than the punishment the company may have feared when it first faced the wrath of the EPA. According to the news report, the company warned investors in 2017 that the violation of the Clean Air Act could net the company at least \$100,000 in fines.

The City of Greendale has been attempting to get MGPI to reduce the ethanol emission, and thus cut down of the growth of whiskey fungus covering homes and businesses in the city. E&E interviewed Greendale Mayor Alan Weiss, who said he was only aware of MGPI's lobbying of the EPA after being contact by the publication.

"It really didn't matter what we wanted," Weiss told E&E. "Nobody was listening to our concerns."

After being called out for the permit violation, MGPI submitted applications to IDEM for the proper permits of the Greendale warehouses in May 2018. The authorization for construction and operation of the warehouses and their VOC emissions was granted last December (PDF).

IDEM granted MGPI, in April, the necessary permit to begin housing up to 320,000 whiskey barrels at the former Deufol warehouse in Sunman, Indiana. The approval came despite uproar from area citizens about "whiskey fungus" impacting their properties nearby.

Lawmaker wants ban on plastic toiletry bottles in hotels

Published: Thursday, September 19, 2019

There's a new push to ban those tiny plastic bottles of shampoo, conditioner and bath gel in hotel rooms across New York state as a way to reduce plastic waste.

State Sen. Todd Kaminsky (D) announced a legislative proposal yesterday that would prohibit hotels from offering single-use plastic toiletry bottles in guest rooms. Instead, they could use wall-mounted dispensers, large multiuse bottles or materials other than plastic to package single-use bottles.

Kaminsky cited estimates that hotels in New York City alone dispose of an estimated 27 million plastic toiletry bottles annually.

"Little everyday actions, like eliminating small plastic bottles, will have a positive impact on our environment," Kaminsky said in a statement announcing the bill. "By barring hotels from giving single-use plastic toiletries to customers, we are safeguarding our environment, and mitigating plastic waste and waterway pollution."

The Hotel Association of New York City and the state Hospitality and Tourism Association both back Kaminsky's bill, reflecting growing industry support for the idea. Vijay Dandapani, president and CEO of the Hotel Association of New York City, called it "an important environmental protection effort."

Marriott International, the world's largest hotel chain, announced plans last month to eliminate small plastic toiletry bottles worldwide by December 2020 (*Greenwire*, Aug. 28). Earlier this year IHG, which owns Holiday Inn, Kimpton and other brands, said it would eliminate about 200 million tiny bottles each year by 2021.

Lawmakers are expected to consider Kaminsky's proposal after they reconvene in Albany in January. — *David Klepper, Associated Press*

Senate Democrats release numerous Trump administration climate studies

BY HELENA BOTTEMILLER EVICH

09/19/2019 01:40 PM EDT

Senate Democrats released on Thursday a [report](#) outlining dozens of times the Trump administration has censored or minimized climate science across the federal government at agencies including the EPA and the Department of Homeland Security.

Sen. [Debbie Stabenow](#), ranking member of the Senate Agriculture Committee, also publicly released a list of more than [1,400 climate studies](#) that Department of Agriculture researchers have published during the current administration after POLITICO [reported](#) that USDA buried its own research and [failed to release](#) its plan to study the issue. The matter is increasingly urgent for farmers and ranchers dealing with erratic and extreme weather.

The trove of studies by USDA researchers carry warnings about climate change that the government is largely not communicating to farmers and ranchers or the public. The list published includes research showing that climate change is likely to drive down yields for some crops, harm milk production, and lead to a drop in nutrient density for key crops like rice and wheat.

“These studies show how climate change is affecting crop production, disrupting how food is grown and increasing risk to communities,” Stabenow said during a press conference on Thursday. Stabenow also serves as chairwoman of the Democratic Policy and Communications Committee, the research arm of Senate Democrats.

The Michigan Democrat called it “outrageous” that “critical information for communities, for farmers, for those of us who care deeply about what’s happening to agriculture, these are not being shared with the people who need to know but they are being paid for by them, as taxpayers.”

A spokesperson for the Agriculture Department said it's "false" to suggest that the department is suppressing science.

“We have repeatedly provided the Senate Agriculture Committee with evidence to the contrary, and the department has been transparent and communicative to the committee in response to their questions on research,” the spokesperson said, in an email. “The list of studies linked in the report were provided by the USDA to the committee and are all publicly available.”

The move comes as climate change is becoming an increasingly prominent issue in the Democratic presidential primary. The report was released ahead of several planned climate protests Friday and the United Nations Climate Action Summit in New York this weekend.

In their report, Senate Democrats allege that the Trump administration has repeatedly gone out of its way to undermine climate science.

The report pointed to President Donald Trump falsely claiming that Alabama had been under threat from Hurricane Dorian and his subsequent insistence on overruling the forecasting of NOAA scientists. It also noted the government released the Fourth National Climate Assessment — which warned of billions in damages and sweeping effects to public health and infrastructure — the day after Thanksgiving when most Americans are not paying attention to the news.

The roundup includes numerous instances where agencies, including FEMA, EPA, Department of Homeland Security and Interior Department, have dropped mention of climate change from key reports or websites.

“Frankly, this is just an overview because it’s being done every day,” Stabenow told reporters.

Climate Scientists Alarmed by Trump's Move to Undercut Auto Emission Rules

Jennifer A. Diouhy, Bloomberg News

(Bloomberg) -- In the fight against climate change, gas-guzzling cars are increasingly seen as the biggest enemy.

Carbon dioxide from automobiles has surged in the U.S. at the same time that the emissions have declined from power plants. The transportation sector is now the nation's single biggest source of greenhouse gas emissions -- beyond electrical generation from coal, leaking oil wells and burping cows.

That's why environmentalists and climate scientists are alarmed by the Trump administration's move this week to undercut the regulation of auto emissions.

"You can't solve the climate change problem without cleaning up the cars," said David Doniger, senior strategic director for the Natural Resources Defense Council's climate program.

The Trump administration took the first step Thursday, by revoking California's authority to set auto emissions requirements that are stricter than what the federal government requires. The administration is still working to finalize the second step -- a plan for weakening existing federal fuel-economy and tailpipe emissions standards on track to for later this year.

Greenhouse gas emissions from vehicles were already on the rise before Trump took aim at the standards, climbing as American motorists drive more and new-car buyers abandon traditional sedans for less-efficient, bigger vehicles. Light-duty vehicles and large heavy trucks are responsible for 82% of the greenhouse gases from transportation, with releases from commercial aircraft, ships and trains contribute another 14%, according to EPA data.

The transportation sector eclipsed power plants as the largest single U.S. source of greenhouse gas emissions in 2017, as utilities shifted away from coal to embrace cleaner-burning natural gas and renewable sources of electricity. That downward trend has continued, even though the Trump administration repealed President Barack Obama's Clean Power Plan throttling greenhouse gas emissions from the electric sector.

Why Trump Attacks California's Anti-Pollution Powers: QuickTake

Federal vehicle standards were expected to help pare auto emissions. Instead, the Trump administration's proposal to freeze auto standards at 2020 levels -- rather than requiring steady annual improvement toward a roughly 50 mile-per-gallon goal -- would unleash them. According to an analysis by the economic research firm Rhodium Group, the administration's proposal would lead to as much as 931 million metric tons more carbon dioxide between 2022 and 2035.

Environmental Protection Agency Administrator Andrew Wheeler has signaled the final rule will require small annual improvements, though still at levels far less than required under the current standards.

The Trump administration disputes the potential climate impact, estimating in an analysis last year that its auto plan would only boost atmospheric carbon dioxide concentrations by 0.65 parts per million by 2100. Wheeler on Thursday asserted that the changes "will have a negligible impact on the environment."

EPA Slams California's Air Quality as It Curbs State's Authority

Wheeler pointed to an Obama-era analysis of a much tougher approach than the one that the government ultimately adopted, arguing that even that "would have only lowered global temperatures by two-one hundredths of a degree Celsius by 2100."

But environmentalists argue that's a cynical look at the magnitude of the climate problem -- and how individual emitters add up globally.

“This is such a vast problem that is the result of so many sources, that if you pick any single one of them, you could say” it is not significant, said Janet McCabe, a former acting assistant administrator for air quality at the EPA. “But within that universe of things that the United States could do with one policy that would make as much of a difference as possible, the Clean Power Plan and the clean car rules were the most meaningful things the EPA could do.”

California Vows Fight as Trump Takes Aim at Clean-Car Authority

Rhodium found that freezing vehicle standards at 2020 levels would have a larger impact on U.S. greenhouse gas emissions than the Clean Power Plan repeal or the Trump administration’s separate effort to roll back limits on methane leaks from oil wells. The extra emissions would exceed what is released annually by 82% of countries today and be greater than the total generated by the world’s 70 smallest countries, Rhodium found. Requirements also were expected to get tougher over time.

The initial standards were “just supposed to be a start,” Doniger said. “California is already looking at what should be the emission standards for post 2025. If the administration were doing their job, we would see them working on standards to get closer to the goal of zero emissions by tightening the standards for the internal combustion engine and continuing the electrification of the vehicle fleet.”

Automakers are making broad improvements to vehicle efficiency, with major companies announcing ambitious plans to field dozens of new, electric models in coming years. The impact of President Donald Trump’s auto plan also is magnified because the standards were designed to nurture a marketplace shift toward electric vehicles.

The move also undercuts the ability of states to fulfill their vows to aggressively attack climate change even in the absence of federal action -- pledges that were made after Trump said the U.S. would abandon a global accord to slash greenhouse gas emissions.

“Transportation is the nation’s largest source of climate pollution, and the administration is not only failing to confront that reality head-on, it’s attacking the rights of states who are defending the nation’s interest against the ever-worsening climate crisis,” said David Hayes, a former Interior Department deputy secretary who now leads the State Energy & Environmental Impact Center at NYU School of Law.

--With assistance from Ryan Beene.

Fla. senators will press for 5-year ban in eastern Gulf

Kellie Lumney, E&E News reporter

Published: Thursday, September 19, 2019

Florida's Republican senators plan to push legislation that would temporarily instead of permanently extend the current ban on drilling in the eastern Gulf of Mexico.

"Ultimately, five years is better than no years," Sen. Marco Rubio told E&E News this week, referring to his legislation that would extend to June 30, 2027, a moratorium on oil and gas drilling in the region set to expire in 2022.

Rubio, who said he doesn't ever want to see drilling off of Florida's coast, said nevertheless that a temporary extension of the current moratorium is what's politically feasible now.

"It's the one I think we can pass," he said of his legislation, S. 13.

The bill also would include Florida in the oil and gas revenue-sharing agreement mandated under the 2006 Gulf of Mexico Energy Security Act between the federal government and Alabama, Louisiana, Mississippi and Texas.

The House last week passed [H.R. 205](#), which would permanently extend the existing moratorium past its 2022 expiration date on oil and gas leasing in the eastern side of the Gulf of Mexico, east of the region's Military Mission Line. The area is home to important military testing.

Rubio said he opposes drilling because of threats to the region's ecology and tourism industry, but "primarily" for military reasons. "The range we have out there off the Gulf Coast is critical for national security," he said.

H.R. 205, sponsored by Rep. Francis Rooney (R-Fla.), passed 248-180 and was supported by the entire House Florida delegation except for Republican Rep. Ted Yoho. The president threatened to veto it.

Rooney yesterday said he planned to meet with Rubio in the next few days about legislative strategy in the upper chamber and "find out what he thinks is practical in the Senate."

The co-chair of the House Climate Solutions Caucus also said the White House is aware of the issue's high profile in the Sunshine State.

"We've also got people talking to the White House, close to the president, showing the president how critically important this is for Florida," adding that he discussed the issue with Trump earlier this year.

But Rubio told E&E News this week that he doesn't think Rooney's bill can pass in the Senate, where it faces stiff Republican opposition, or that President Trump would sign into law a permanent ban on offshore drilling in the region.

Sen. Rick Scott (R-Fla.), a co-sponsor of S. 13 and an opponent of offshore drilling off Florida's coast, echoed Rubio's comments.

"I'm going to focus on what the president will sign," Scott told E&E News on Tuesday. "I want to get something done."

'Everyone in Florida runs on banning offshore drilling'

Former Interior Secretary Ryan Zinke got into hot water in January 2018 after meeting with then-Gov. Scott and afterward tweeting that he was "taking #Florida off the table for offshore oil and gas" in federal waters. He later called Florida unique, much to the anger of other states' leaders.

But after catching a lot of flak over the tweet and supposed special treatment for Florida, Zinke offered mixed messages to outraged lawmakers of both parties.

For his part, Rooney said he continues to focus on "cutting off the head of the snake" and making permanent the current drilling moratorium in the eastern Gulf.

That includes ensuring that no part of Florida is included in the administration's five-year proposal to open more than 90% of the outer continental shelf to offshore drilling. Rooney cited Floridians' overwhelming opposition to oil and gas drilling off their coast.

"The people of Florida want a permanent ban. They voted to ban offshore drilling, and I think there is a big prize out there for the people who can best protect Florida," he told reporters yesterday.

Floridians voted last year to ban oil and gas drilling in state waters. "Everyone in Florida runs on banning offshore drilling. I think we're all a team," Rooney said of the congressional delegation and the current Republican governor, Ron DeSantis.

Asked if he'd be willing to compromise on the matter, Rooney said he wasn't sure. "There is a lot of compromise in this business. It seems to be the way it goes. But we stuck to our guns and didn't cave, and look what we got," Rooney said of his bill's passage. "We got the permanent ban, and that's what people really need."

The Republican then proactively thanked the House Democratic leadership for helping shepherd his bill to success.

EPA awards nearly \$900,000 to Purdue University for PFAS research

by Sophie Bird

Purdue University will receive just under \$1 million in grant money from the Environmental Protection Agency for research on reducing a group of synthetic chemicals in wastewater.

Per- and poly-fluoroalkyl chemicals are found in a variety of consumer and industrial products such as cookware and water-, grease-, or stain-resistant clothing. They have also been used in food service, and they have been found in water supplies around Indiana military bases that have used PFAS-based firefighting foam.

Prolonged exposure to PFAS can be dangerous for humans, potentially resulting in liver damage, developmental problems in children and kidney cancer. Many people are exposed to PFAS chemicals through local water supplies, but they have also been found in landfills, soil and solid waste, among other locations.

With the funds, Purdue plans to conduct a study that will evaluate the “technical and economic feasibility of using a specific two-treatment approach consisting of nanofiltration followed by electrochemical oxidation,” according to a press release from the EPA.

The EPA awarded a total of nearly \$6 million in PFAS research grants to eight institutions, including Purdue. The grants were awarded as part of the EPA’s PFAS Action Plan, which outlines potential short-term and long-term solutions for PFAS contamination.

Purdue is the only institution in Indiana to receive a grant. Other recipients include the New York State Department of Health, Clemson University, Texas A&M, and the University of Florida.